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THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Letter dated 8 February 1991 from the Permanent Representative of the People's Republic of China to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

As is known to all, Tibet is a part of China. Yet a few NGO representatives, in disregard of this fact, preached the "right to self-determination" for the Tibetan people during the debate of the current session of the Commission on Human Rights under item 9 "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation". I have the honour to provide you herewith a copy of China's position document on the so-called "Tibetan people's right to self-determination".

I should be very grateful if you could arrange for the aforementioned document to be circulated as an official document of the Commission on Human Rights under item 9.

(Signed) Fan Guoxiang
Ambassador
Permanent Representative

Annex

POSITION DOCUMENT OF CHINA ON THE SO-CALLED "TIBETAN PEOPLE'S RIGHT TO SELF-DETERMINATION"
(February 1991)

1. Recently, a handful of people have been keenly talking about the "Tibetan people's right to self-determination", asserting that Tibet was historically an independent State and that it was only because of China's "occupation" of Tibet in the early 1950s that Tibet lost its independence. Consequently, they say, the Tibetan people should resume the exercise of their "right to self-determination". Such an assertion is made out of ulterior motives.

2. First of all, the above assertion constitutes a serious distortion of historical facts. As is known to all, Tibet is an inalienable part of China's territory. China began to exercise its sovereignty over Tibet as early as more than 700 years ago, long before the establishment of many countries in the world today. The Agreement on Measures for the Peaceful Liberation of Tibet signed by the Central People's Government and the Tibetan local government on 23 May 1951 and the peaceful liberation of Tibet are concrete manifestations of the Chinese Government's exercise of sovereign jurisdiction over Tibet. This is entirely China's internal affairs. There is neither historical nor legal ground to describe the above as China's "occupation" of Tibet.

3. Secondly, any attempt to assert the so-called "Tibetan people's right to self-determination" is a complete misinterpretation of the principles of "self-determination" contained in the United Nations human rights instruments. In essence, a people's right to self-determination refers to the right of the oppressed nations and peoples to get rid of imperialist and colonialist domination and to strive for national liberation and State independence. After the Opium War in 1840, imperialists invaded China's inland and, at the same time, advanced into China's Tibet. As a result, China was gradually reduced to a semi-colonial country. For more than a century, the Chinese people have waged an unremitting struggle for national liberation. The founding of the People's Republic of China in 1949 and the subsequent peaceful liberation of Tibet marked a great victory for all the Chinese people, including the people of Tibet, in their protracted struggle to free themselves from imperialist and colonialist domination and restore their State sovereignty and territorial integrity. This victory was also a true reflection of the Chinese nation's fight for the right to national survival and its exercise of the right to self-determination.

4. The so-called "Tibetan people's right to self-determination" raised by some is nothing but an attempt to turn a matter essentially within the national jurisdiction of a country into one for discussion within the scope of international law. One may ask, at what time has China ever lost its sovereignty over Tibet? Moreover, which country in the world has recognized "the State of Tibet"? If the answers are negative, then what reason is there to apply the principle of self-determination to China's internal affairs? Obviously, it runs counter to the fundamental spirit of United Nations human rights instruments.

5. Thirdly, the preaching of "Tibetan people's right to self-determination" constitutes a wilful trampling upon the basic norms governing international relations and a serious encroachment upon the sovereignty of unified, multinational States, posing a grave threat to all the multinational States in the world. The Declaration on the Granting of Independence to Colonial Countries and Peoples, in the elaboration of the application of the right of peoples to self-determination, categorically confines the application to "colonies", "dependencies" and "trust and non-self-governing territories or all other territories which have not yet achieved independence". In order to prevent any misinterpretation of the principle of self-determination, the Declaration specifically notes: "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations". As a unified, multinational State, China, in dealing with its internal ethnic problems, cannot but proceed from its specific national conditions and solve the problems within the scope of its State sovereignty. The application of the principle of self-determination to China's ethnic problems and ethnic relations not only is detrimental to the establishment and consolidation of a relationship among its nationalities of equality, friendship and mutual assistance but also jeopardizes China's territorial integrity and unity. Therefore, the advocacy of "Tibetan people's right to self-determination" is, in essence, the preaching and instigation of separatist sentiments among the nationalities and it is also an act aimed at naked dismembering of a sovereign State. One cannot but express great indignation at such assertions which brazenly trample upon the basic norms governing international relations.